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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/522,025	07/22/2005	Shiro Kinpara	AKY-0021	1948
23353 RADER FISHI	7590 . 05/17/2007 MAN & GRAUER PLLC		EXAMINER	
LION BUILDING			MOHANDESI, IRAJ A	
1233 20TH STREET N.W., SUITE 501 WASHINGTON, DC 20036			ART UNIT	PAPER NUMBER
	,		2834	
			MAIL DATE	DELIVERY MODE
			05/17/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

## Office Action Summary Total Ambandesi 2834							
Examiner Iraj A. Mohandes 2334 2344		Application No.	Applicant(s)				
Trig A. Mohandes 2834		10/522,025	KINPARA ET AL.				
The MALING DATE of this communication appears on the cover sheet with the correspondence address — Period for Repty A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Eatherwise of term rup to a validate under the provisions of 37 CFR 1.1380, in no event however, may a reply be timely filled to the communication of 37 CFR 1.1380, in no event however, may a reply be timely filled the sommunication. It NO period for reply is specified above, the maximum statutory paided will apply and will apply and ville application 15 US US C. § 1.33). Any reply received by the Office later than three months after the making date of this communication, even if femily filled, may reduce any search patient. Set 37 CFR 1.7480, and the properties of the properties of the properties of the communication, even if femily filled, may reduce any search patient. Status 1) □ Responsive to communication(s) filled on 21 January 2005. 2a) □ This action is FINAL. 2b) □ This action is non-final. 3) □ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) □ Claim(s) 1-12 isfare pending in the application. 4a) Of the above claim(s) isfare withdrawn from consideration. 5) □ Claim(s) isfare allowed. 5) □ Claim(s) isfare allowed. 6) □ Claim(s) isfare allowed. 7) □ Claim(s) isfare objected to by the Examiner. 7) □ The drawing(s) filed on isfare. all accepted or b) □ objected to by the Examiner. Application Papers 9) □ The specification is objected to by the Examiner. 10) □ The drawing(s) filed on isfare. all accepted or b) □ objected to by the Examiner. Application Papers 9) □ The drawing(s) filed on isfare. all accepted or b) □ objected to by the Examiner. 10) □ The drawing(s) filed on isfare. all accepted or b) □ objected to by the Examiner. 10) □ The draw	Office Action Summary	Examiner	Art Unit				
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2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date Notice of Informal Patent Application	Attachment(s)	" 	, (DTO 442)				
3) Information Disclosure Statement(s) (PTO/SB/08) 5) Notice of Informal Patent Application							
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DETAILED ACTION

Election/Restrictions

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:

- Claims 1-10, drawn to a wind power generator with controller, classified in class
 290, subclass 55. The inventions are distinct, each from the other because of the following reasons:
- II. Claims 11 and 12, drawn to process of making a structure, classified in class 52, subclass 123.
- 2. Inventions I and II are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make another and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case the process of construct a structure using a climbing cane for connecting stage members can be used to build many different structure such as building or water reservoir tower and a wind power generator can be pre-constructed in factory and transported to locations.
- 3. Because these inventions are independent or distinct for the reasons given above and there would be a serious burden on the examiner if restriction is not required because the inventions have acquired a separate status in the art in view of their different classification, restriction for examination purposes as indicated is proper.
- 4. Because these inventions are independent or distinct for the reasons given above and there would be a serious burden on the examiner if restriction is not required

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because the inventions require a different field of search (see MPEP § 808.02), restriction for examination purposes as indicated is proper.

5. A telephone call was made to Applicant's on representative on May 9, 2007to request an oral election to the above restriction requirement, but did not result in an election being made.

Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

Should applicant traverse on the ground that the inventions or species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the inventions or species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C.103(a) of the other invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Iraj A: Mohandesi whose telephone number is 571-272-2028. The examiner can normally be reached on M-Th.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg can be reached on 571-272-2044. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

I Mohandesi May 9, 2007

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